

Virginia Title V Operating Permit

Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act, and 9 VAC 5-80-50 through 9 VAC 5-80-300 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name:	Bassett Furniture Industries
Facility Name:	Bassett Furniture Industries, Bassett Fiberboard
Facility Location:	53 Trenthill Drive Bassett, Virginia
Registration Number:	30286
AIRS Number:	51-089-0065
Permit Number:	VA-30286

September 1, 2001

Effective Date

September 1, 2006

Expiration Date

Dennis H. Treacy
Director, Department of Environmental Quality

Signature Date

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I. Facility Information

Permittee

Bassett Furniture Industries
P.O. Box 626
Bassett, VA 24055

Responsible Official

James L. Franklin, Jr.
Plant Manager - Vice President

Facility

Bassett Fiberboard
53 Trenthill Drive
Bassett, VA

Contact Person

Lynwood Scott
Director of Environmental Affairs
540/629-6240

Registration Number: 30286

AIRS Identification Number: 51-089-0065

Facility Description: SIC Code 2493 - This facility utilizes kiln-dried hardwood chips, flakes and dust generated by furniture manufacturing processes to produce a fiberboard product.

II. Emission Units

Equipment to be operated consists of:

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
Fuel Burning Equipment							
BL1	EPBL1	nat'l gas/#2 f.o. boiler (standby) Cleaver Brooks; 1969	25.1 MMBtu/hr	none	n/a	n/a	n/a
BL2	EPCC2 EPSC2	Roemac wood burner/ Keeler boiler 1977	35 MMBtu/hr	cyclone collector venturi scrubber	--	PM	5/2/97 amend 10/8/99
Fiberboard Manufacturing Processes							
DR1	EPSC2	wood fiber dryer; 1969	7 tons fiber/hr	¹⁾ Rennenberg high efficiency collector; ²⁾ Ducon multicyclone; ³⁾ wet scrubber	--	PM	n/a
WW1-10	EPBF 1-10	misc. woodworking	54,750 tons/year	(10) fabric filters MikroPul 216F-8; 1F-1; 1F-3 or 256-8	--	PM	n/a
PL1	FPL1 <i>fug.</i> EPAD 1-3	fiberboard press line Simple Kamp German Press - 1970	7 tons/hr	(3) dynamic separators Aerodyne	--	PM	n/a

*The Size/Rated capacity is provided for informational purposes only, and is not an applicable requirement.

III. Fuel Burning Equipment Requirements – (Cleaver Brooks Boiler - BL1)

A. Limitations

1. The approved fuels for the Cleaver Brooks boiler (BL1) are natural gas and distillate oil. Distillate oil is defined as fuel oil that meets the specifications for fuel oil numbers 1 or 2 under the American Society for Testing and Materials, ASTM D396-78 “Standard Specification for Fuel Oils.” A change in the fuels may require a permit to modify and operate.
(9 VAC 5-80-110)
2. Emissions from the operation of the Cleaver Brooks boiler (BL1) shall not exceed the limits specified below:

Total Suspended Particulate	0.39 lbs/hr
Sulfur Dioxide	66.3 lbs/hr

(9 VAC 5-80-110, 9 VAC 5-40-900A.1 and 9 VAC 5-40-930A.1)
3. Visible Emissions from the Cleaver Brooks boiler (BL1) stack shall not exceed 20 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 60 percent opacity.
(9 VAC 5-40-80 and 9 VAC 5-40-940)
4. The permittee shall have available written operating procedures for the Cleaver Brooks boiler (BL1) to minimize the duration and frequency of excess emissions, with respect to the Cleaver Brooks boiler (BL1). These procedures shall be based on the manufacturer's recommendations, at minimum if such recommendations exist.
(9 VAC 5-80-110)

B. Monitoring and Recordkeeping

1. The Cleaver Brooks boiler (BL1) shall be observed visually at least once each calendar week in which it operates. The visual observations shall be conducted using 40 CFR 60 Appendix A Method 22 techniques (condensed water vapor/steam is not a visible emission) for at least a brief time to only identify the presence of visible emissions. Each Method 22 technique observation having visible emissions shall be evaluated by conducting a 40 CFR 60 Appendix A Method 9 visible emissions evaluation (VEE) for at least six (6) minutes, unless corrective action is taken that achieves no visible emissions. 40 CFR 60 Appendix A Method 9 requires the observer to have a Method 9 certification that is current at the time of the VEE. If any of these six (6) minute VEE averages exceed the unit's opacity limitation, a VEE shall be conducted on these emissions for at least 3 six minute periods (at least 18 minutes). All visible emission observations, VEE results, and corrective actions taken shall be recorded.
(9 VAC 5-80-110E)

2. The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, West Central Regional Office. These records shall include, but are not limited to:
 - a. results of the weekly opacity observation of the Cleaver Brooks boiler (BL1) stack, along with any corrective actions,
 - b. the annual combustion of natural gas (cubic feet) and fuel oil (gallons) in the Cleaver Brooks boiler (BL1), calculated monthly as the sum of each consecutive 12-month period, and
 - c. verification that the sulfur content for each shipment of No. 2 fuel oil to be burned in the Cleaver Brooks boiler (BL1) meets ASTM specification.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.

(9 VAC 5-50-50, 9 VAC 5-80-110 and 9 VAC 5-40-50)

C. Testing

See Section VII. - Facility Wide Conditions

D. Reporting

See Section VIII - General Conditions

IV. Fuel Burning Equipment Requirements – (Roemac Burner/Keeler Boiler - BL2)

A. Limitations

1. The approved fuel for the Roemac Burner/Keeler Boiler (BL2) is wood.
(9 VAC 5-80-110 and 5/2/97 permit, amended 10/8/99)
2. Emissions from the operation of the Roemac Burner/Keeler Boiler (BL2) shall not exceed the limits specified below:

Total Suspended Particulate 23.84 lbs/hr

Sulfur Dioxide 92.4 lbs/hr

(9 VAC 5-80-110, 9 VAC 5-40-900A.1 and 9 VAC 5-40-930A.1)

3. Visible Emissions from the Roemac Burner/Keeler Boiler (BL2) stack shall not exceed 20 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 30 percent opacity, as determined by EPA Method 9 (reference 40 CFR 60).
(9 VAC 5-40-80 and 9 VAC 5-40-940)

4. Particulate emissions from the Roemac burner/Keeler boiler (BL2) shall be controlled by a cyclone collector and venturi scrubber.
(9 VAC 5-40-20.E)
5. The permittee shall have available written operating procedures for the Cleaver Brooks boiler (BL1) to minimize the duration and frequency of excess emissions, with respect to the Cleaver Brooks boiler (BL1). These procedures shall be based on the manufacturer's recommendations, at minimum if such recommendations exist.
(9 VAC 5-80-110)
6. The permittee shall maintain an inventory of spare parts that are needed to minimize possible excess emissions due to malfunction of the cyclone collector and venturi scrubber.
(9 VAC 5-170-160)

B. Monitoring and Recordkeeping

1. The Roemac burner/Keeler boiler (BL2) shall be observed visually at least once each calendar week in which it operates. The visual observations shall be conducted using 40 CFR 60 Appendix A Method 22 techniques (condensed water vapor/steam is not a visible emission) for at least a brief time to only identify the presence of visible emissions. Each Method 22 technique observation having visible emissions shall be evaluated by conducting a 40 CFR 60 Appendix A Method 9 visible emissions evaluation (VEE) for at least six (6) minutes, unless corrective action is taken that achieves no visible emissions. 40 CFR 60 Appendix A Method 9 requires the observer to have a Method 9 certification that is current at the time of the VEE. If any of these six (6) minute VEE averages exceed the unit's opacity limitation, a VEE shall be conducted on these emissions for at least 3 six minute periods (at least 18 minutes). All visible emission observations, VEE results, and corrective actions taken shall be recorded.
(9 VAC 5-80-110E)
2. The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, West Central Regional Office. These records shall include, but are not limited to:
 - a. results of the weekly opacity observation of the Roemac burner/Keeler boiler (BL2) stack, along with any corrective actions, and
 - b. Roemac Burner/Keeler Boiler (BL2) operation information, sufficient to calculate annual emissions for each consecutive 12-month period.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.

(9 VAC 5-50-50)

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.

(9 VAC 5-50-50, 9 VAC 5-80-110 and 9 VAC 5-40-50)

C. Testing

See Section VII. - Facility Wide Conditions

D. Reporting

See Section VIII - General Conditions

V. Process Equipment Requirements – (Wood Fiber Dryer - DR1)

A. Limitations

1. Particulate emissions from the wood fiber dryer (DR1) shall be controlled by the following collectors in series:

- one high efficiency collector
- one Ducon multiclone
- one wet scrubber

(9 VAC 5-40-20.E and 9 VAC 5-80-110)

2. Visible emissions from the wood fiber dryer (DR1) shall not exceed 20% opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 60% opacity. This condition applies at all times except during startup, shutdown and malfunction.

(9 VAC 5-40-80 and 9 VAC 5-80-110)

3. Emissions from the operation of the wood fiber dryer (DR1) shall not exceed the limits specified below:

Total Suspended Particulate	15.1 lbs/hr
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(9 VAC 5-80-110)

B. Monitoring and Recordkeeping

1. The wood fiber dryer (DR1) shall be observed visually at least once each calendar week in which it operates. The visual observations shall be conducted using 40 CFR 60 Appendix A Method 22 techniques (condensed water vapor/steam is not a visible emission) for at least a brief time to only identify the presence of visible emissions. Each Method 22 technique observation having visible emissions shall be evaluated by conducting a 40 CFR 60 Appendix A Method 9 visible emissions evaluation (VEE) for at least six (6) minutes, unless corrective action is taken that achieves no visible emissions. 40 CFR 60 Appendix A Method 9 requires the observer to have a Method 9 certification that is current at the time of the VEE. If any of these six (6) minute VEE averages exceed the unit's opacity limitation, a VEE shall be conducted on these

emissions for at least 3 six minute periods (at least 18 minutes). All visible emission observations, VEE results, and corrective actions taken shall be recorded.

(9 VAC 5-80-110E)

2. The permittee shall maintain an inventory of spare parts that are needed to minimize possible excess emissions due to malfunction of any of particulate emission control equipment associated with the wood fiber dryer (DR1).

(9 VAC 5-170-160)

3. The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, West Central Regional Office. These records shall include, but are not limited to:

- a. the results of the weekly opacity observation of each emission point associated with the wood fiber dryer (DR1), along with any corrective actions, and
- b. wood fiber dryer (DR1) production information, sufficient to calculate annual emissions for each consecutive twelve month period.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.

(9 VAC 5-50-50 and 9 VAC 5-80-110)

C. Testing

See Section VII. - Facility Wide Conditions

D. Reporting

See Section VIII - General Conditions

VI. Process Equipment Requirements – (Fiberboard Press Line PL1)

A. Limitations

1. Particulate emissions from the Fiberboard Press Line (PL1) shall be controlled by three Aerodyne dynamic separators
(9 VAC 5-40-20.E and 9 VAC 5-80-110)
2. Visible emissions from the Fiberboard Press Line (PL1) shall not exceed 20% opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 60% opacity.
(9 VAC 5-40-80 and 9 VAC 5-80-110)
3. Emissions from the operation of the Fiberboard Press Line (PL1) shall not exceed the limits specified below:

Total Suspended Particulate

15.1 lbs/hr

(9 VAC 5-80-110)

B. Monitoring and Recordkeeping

1. The Fiberboard Press Line (PL1) shall be observed visually at least once each calendar week in which it operates. The visual observations shall be conducted using 40 CFR 60 Appendix A Method 22 techniques (condensed water vapor/steam is not a visible emission) for at least a brief time to only identify the presence of visible emissions. Each Method 22 technique observation having visible emissions shall be evaluated by conducting a 40 CFR 60 Appendix A Method 9 visible emissions evaluation (VEE) for at least six (6) minutes, unless corrective action is taken that achieves no visible emissions. 40 CFR 60 Appendix A Method 9 requires the observer to have a Method 9 certification that is current at the time of the VEE. If any of these six (6) minute VEE averages exceed the unit's opacity limitation, a VEE shall be conducted on these emissions for at least 3 six minute periods (at least 18 minutes). All visible emission observations, VEE results, and corrective actions taken shall be recorded.

(9 VAC 5-80-110E)

2. The permittee shall maintain an inventory of spare parts that are needed to minimize possible excess emissions due to malfunction of any the Aerodyne dynamic separators.

(9 VAC 5-170-160)

3. The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, West Central Regional Office. These records shall include, but are not limited to:
 - a. the results of the weekly opacity observation of each Aerodyne dynamic separator stack, along with any corrective actions,
 - b. fiberboard press line (PL1) production information, sufficient to calculate annual emissions for each consecutive twelve month period.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.

(9 VAC 5-50-50 and 9 VAC 5-80-110)

C. Testing

See Section VII. - Facility Wide Conditions

D. Reporting

See Section VIII - General Conditions

VII. Process Equipment Requirements – (Woodworking Equipment WW)

A. Limitations

1. Particulate emissions from the woodworking equipment (WW) shall be controlled by ten separate fabric filters.
(9 VAC 5-50-260 and 9 VAC 5-80-110)
2. Visible emissions from the woodworking equipment (WW) shall not exceed 5% opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 30% opacity.
(9 VAC 5-40-80 and 9 VAC 5-80-110 and 9 VAC 5-50-260)
3. Emissions from each fabric filter associated with the woodworking equipment (WW) shall not exceed the limits specified below:
Total Suspended 0.01 grains per dry standard cubic feet of exhaust gas (each)
Particulate

(9 VAC 5-80-110 and 9 VAC 5-50-260)

B. Monitoring and Recordkeeping

1. The woodworking equipment (WW) shall be observed visually at least once each calendar week in which it operates. The visual observations shall be conducted using 40 CFR 60 Appendix A Method 22 techniques (condensed water vapor/steam is not a visible emission) for at least a brief time to only identify the presence of visible emissions. Each Method 22 technique observation having visible emissions shall be evaluated by conducting a 40 CFR 60 Appendix A Method 9 visible emissions evaluation (VEE) for at least six (6) minutes, unless corrective action is taken that achieves no visible emissions. 40 CFR 60 Appendix A Method 9 requires the observer to have a Method 9 certification that is current at the time of the VEE. If any of these six (6) minute VEE averages exceed the unit's opacity limitation, a VEE shall be conducted on these emissions for at least 3 six minute periods (at least 18 minutes). All visible emission observations, VEE results, and corrective actions taken shall be recorded.
(9 VAC 5-80-110E)
2. Fabric filters WW 7 and 8 shall be equipped with a device to continuously measure the differential pressure drop across the fabric filter. The device shall be installed in an accessible location and shall be maintained by the permittee such that it is in proper working order at all times.
(9 VAC 5-80-110 C, 9 VAC 5-80-10 H and 9 VAC 5-50-260)
3. The permittee shall take the following measures in order to minimize the duration and frequency of excess emissions, with respect to the fabric filters:

- a. develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance.
- b. maintain an inventory of spare parts that are needed to minimize durations of fabric filter malfunctions.

(9 VAC 5-170-160)

4. The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, West Central Regional Office. These records shall include, but are not limited to:
 - a. the results of the weekly opacity observation of the fabric filters, along with any corrective actions
 - b. woodworking operations (WW) production information, sufficient to calculate annual emissions for each consecutive twelve month period.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.
(9 VAC 5-50-50 and 9 VAC 5-80-110)

C. Testing

See Section VII. - Facility Wide Conditions

D. Reporting

See Section VIII - General Conditions

VIII. Facility Wide Conditions

A. Limitations

1. Existing source standard for visible emissions

Unless otherwise specified in this part, no owner or other person shall cause or permit to be discharged into the atmosphere from any affected facility (constructed, modified or relocated prior to March 17, 1972) any visible emissions which exhibit greater than 20% opacity, except for one six-minute period in any one hour of not more than 60% opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). Failure to meet the requirements of this section because of the presence of water vapor shall not be a violation of this section.
(9 VAC 5-40-80 and 9 VAC 5-80-110)

2. New, Modified, Relocated or Reconstructed source standard for visible emissions

Unless otherwise specified in this part, no owner or other person shall cause or permit to be discharged into the atmosphere from any affected facility (constructed, relocated or modified on or after March 17, 1972 or reconstructed on or after December 10,

1976) any visible emissions which exhibit greater than 20% opacity, except for one six-minute period in any one hour of not more than 30% opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). Failure to meet the requirements of this section because of the presence of water vapor shall not be a violation of this section.

(9 VAC 5-50-80 and 9 VAC 5-80-110)

B. Monitoring and Recordkeeping

See Section VIII - General Conditions

C. Testing

See Section VIII - General Conditions

D. Reporting

See Section VIII - General Conditions

E. Testing

1. If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the following methods in accordance with procedures approved by the DEQ as follows:

Pollutant	Test Method (40 CFR Part 60, Appendix A)
SO ₂	EPA Method 6
PM/PM ₁₀	EPA Method 5, 17
Visible Emission	EPA Method 9

(9 VAC 5-80-110)

IX. Insignificant Emission Units

The following emission units at the facility are identified in the application as insignificant emission units under 9 VAC 5-80-720:

Emission Unit No.	Emission Unit Description	Citation	Pollutant(s) Emitted (9 VAC 5-80-720 B)	Rated Capacity (9 VAC 5-80-720 C)
BL3 ⁽¹⁾	Rennenberg n.gas-fired dryer	9 VAC 5-80-720.C	NO _x	6 MMBtu/hr
ST 1-3	storage tanks	9 VAC 5-80-720.B	VOC	14,000 gal. each*
ST 4,5	storage tanks	9 VAC 5-80-720.B	VOC	20,000 gal. each*
ST6	resin storage tank	9 VAC 5-80-720.B	VOC	3,600 gal.
ST7	diesel UST	9 VAC 5-80-720.B	VOC	10,000 gal. ⁽²⁾
ST8	diesel storage tank	9 VAC 5-80-720.B	VOC	10,000 gal. ⁽³⁾

⁽¹⁾ particulate emissions from BL3 are controlled by the same venturi scrubber that is connected to BL2

⁽²⁾ NSPS Subpart Kb does not apply

⁽³⁾ NSPS Subpart Kb applies (§60.116b)

These insignificant emission units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

X. Compliance Plan

Not Applicable

XI. Permit Shield & Inapplicable Requirements

Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit. Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by the administrator pursuant to §114 of the federal Clean Air Act, (ii) the Board pursuant to §10.1-1314 or §10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to §10.1-1307.3 of the Virginia Air Pollution Control Law.
 (9 VAC 5-80-140)

XII. General Conditions

A. Federal Enforceability

All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.

(9 VAC 5-80-110 N)

B. Permit Expiration

This permit shall become invalid five years from the date of issuance. The permittee shall submit an application to Director, West Central Regional Office for renewal of this permit no earlier than 18 months and no later than six months prior to the date of expiration of this permit. Upon receipt of a complete and timely application for renewal, this source may continue to operate subject to final action by the DEQ on the renewal application.

(9 VAC 5-80-110 D and 9 VAC 5-80-80 F)

C. Recordkeeping and Reporting

1. All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:
 - a. The date, place as defined in the permit, and time of sampling or measurements.
 - b. The date(s) analyses were performed.
 - c. The company or entity that performed the analyses.
 - d. The analytical techniques or methods used.
 - e. The results of such analyses.
 - f. The operating conditions existing at the time of sampling or measurement.

(9 VAC 5-80-110 F)

2. Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

(9 VAC 5-80-110 F)

3. The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than **March 1** and **September 1** of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 G. [Note that much of the recordkeeping required by this permit also serves as required periodic monitoring to determine emissions compliance and therefore needs

to be addressed in the periodic reports.] The details of the reports are to be arranged with the Director, West Central Regional Office. The reports shall include:

- a. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31.
- b. All deviations from permit requirements. For purposes of this permit, deviations include, but are not limited to:
 - (1) Exceedance of emissions limitations or operational restrictions;
 - (2) Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or compliance assurance monitoring which indicates an exceedance of emission limitations or operational restrictions; or,
 - (3) Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.
- c. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that "no deviations from permit requirements occurred during this semi-annual reporting period."
- d. The report shall be sent to the following address:

VA DEQ
Director, West Central Regional Office
ATTN: Air Compliance Manager
3019 Peters Creek Road
Roanoke, VA 24019

(9 VAC 5-80-110 F)

D. Annual Compliance Certification

Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and to DEQ no later than **March 1** each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

1. The time period included in the certification. The time period to be addressed is January 1 to December 31.
2. The identification of each term or condition of the permit that is the basis of the certification.

3. The compliance status.
4. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance.
5. Consistent with subsection 9 VAC 5-80-110 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period.
6. Such other facts as the permit may require to determine the compliance status of the source.

This annual compliance certification shall be sent to the following addresses:

VA DEQ
Director, West Central Regional Office
ATTN: Air Compliance Manager
3019 Peters Creek Road
Roanoke, VA 24019

U. S. Environmental Protection Agency, Region III
Clean Air Act Title V Compliance Certification (3AP00)
1650 Arch Street
Philadelphia, PA 19103-2029.

(9 VAC 5-80-110 K.5)

E. Permit Deviation Reporting

The permittee shall notify the Director, West Central Regional Office, within four (4) daytime business hours of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the occurrence, the permittee shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. The occurrence should also be reported in the next quarterly or semi-annual compliance monitoring report required by this permit.

(9 VAC 5-80-110 F.2 and 9 VAC 5-80-250)

F. Failure/Malfunction Reporting

If, for any reason, the affected facilities or related air pollution control equipment fails or malfunctions and may cause excess emissions for more than one hour, the owner shall notify the Director, West Central Regional Office, within four (4) daytime business hours of the occurrence. In addition, the owner shall provide a written statement, within 14 days, explaining the problem, corrective action taken, and the estimated duration of the breakdown/shutdown. The opacity limits in this permit apply at all times except during periods of startup, shutdown, malfunction and as otherwise provided in this permit.

(9 VAC 5-20-180 C & 9 VAC 5-80-250)

G. Startup, Shutdown, and Malfunction

At all times, including periods of startup, shutdown, soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

The opacity limits in this permit apply at all times except during periods of startup, shutdown, malfunction, and as otherwise provided in this permit.
(9 VAC 5-50-20, 9 VAC 5-40-20)

H. Malfunction as an Affirmative Defense

1. A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the conditions of paragraph 2 are met.
2. The affirmative defense of malfunction shall be demonstrated by the permittee through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:
 - a. A malfunction occurred and the permittee can identify the cause or causes of the malfunction.
 - b. The permitted facility was at the time being properly operated.
 - c. During the period of malfunction, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit.
 - d. The permittee notified the board of the malfunction within two working days following the time when the emissions limitations were exceeded due to the malfunction. This notification shall include a description of the malfunction, any steps taken to mitigate emissions, and corrective actions taken. The notification may be delivered either orally or in writing. The notification may be delivered by electronic mail, facsimile transmission, telephone, telegraph, or any other method that allows the permittee to comply with the deadline. The notice fulfills the requirement of 9 VAC 5-80-110 F.2. b to report promptly deviations from permit requirements. This notification does not release the permittee from the malfunction reporting requirements under 9 VAC 5-20-180 C.
3. In any enforcement proceeding, the permittee seeking to establish the occurrence of a malfunction shall have the burden of proof. The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any requirement applicable to the source.

(9 VAC 5-80-250)

I. Fugitive Dust Emission Standards

During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:

1. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;
2. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;
3. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or other similar operations;
4. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,
5. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.

(9 VAC 5-40-90 and 9 VAC 5-50-90)

J. Severability

The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.

(9 VAC 5-80-110 G.1)

K. Duty to Comply

The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.

(9 VAC 5-80-110 G.2)

L. Need to Halt or Reduce Activity not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
(9 VAC 5-80-110 G.3)

M. Permit Action for Cause

1. This permit may be modified, revoked, reopened, and reissued, or terminated for cause as specified in 9 VAC 5-80-110 L, 9 VAC 5-80-240 and 9 VAC 5-80-260. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
(9 VAC 5-80-110 G.4)
2. Such changes that may require a permit modification and/or revisions include, but are not limited to, the following:
 - a. Erection, fabrication, installation, addition, or modification of an emissions unit (which is the source, or part of it, which emits or has the potential to emit any regulated air pollutant), or of a source, where there is, or there is potential of, a resulting emissions increase;
 - b. Reconstruction or replacement of any emissions unit or components thereof such that its capital cost exceeds 50% of the cost of a whole new unit;
 - c. Any change at a source which causes emission of a pollutant not previously emitted, an increase in emissions, production, throughput, hours of operation, or fuel use greater than those allowed by the permit, or by 9 VAC 5-80-11, unless such an increase is authorized by an emissions cap; or any change at a source which causes an increase in emissions resulting from a reduction in control efficiency, unless such an increase is authorized by an emissions cap;
 - d. Any reduction of the height of a stack or of a point of emissions, or the addition of any obstruction which hinders the vertical motion of exhaust;
 - e. Any change at the source which affects its compliance with conditions in this permit, including conditions relating to monitoring, recordkeeping, and reporting;
 - f. Addition of an emissions unit which qualifies as insignificant by emissions rate (9 VAC 5-80-720 B) or by size or production rate (9 VAC 5-80-720 C);
 - g. Any change in insignificant activities, as defined by 9 VAC 5-80-90 D.1.a(1) and 9 VAC 5-80-720 B and 9 VAC 5-80-720 C.

(9 VAC 5-80-110 G, 9 VAC 5-80-110 J, 9 VAC 5-80-240, and 9 VAC 5-80-260)

N. Property Rights

The permit does not convey any property rights of any sort, or any exclusive privilege.
(9 VAC 5-80-110 G.5)

O. Duty to Submit Information

1. The permittee shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the Board along with a claim of confidentiality.
(9 VAC 5-80-110 G.6)
2. Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-80 G.
(9 VAC 5-80-110 K.1)

P. Duty to Pay Permit Fees

The owner of any source for which a permit under 9 VAC 5-80-50 through 9 VAC 5-80-300 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 through 9 VAC 5-80-355. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by **April 15** of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department.
(9 VAC 5-80-110 H and 9 VAC 5-80-340 C)

Q. Alternative Operating Scenarios

Not Applicable

R. Inspection and Entry Requirements

The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:

1. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.
2. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.
3. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.
4. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(9 VAC 5-80-110 K.2)

S. Reopening For Cause

The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9 VAC 5-80-80 F.

1. The permit shall be reopened if the Board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
2. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
3. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9 VAC 5-80-110 D.

(9 VAC 5-80-110 L)

T. Permit Availability

Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.

(9 VAC 5-80-150 E)

U. Transfer of Permits

1. No person shall transfer a permit from one location to another, unless authorized under 9 VAC 5-80-130, or from one piece of equipment to another.
(9 VAC 5-80-160)
2. In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9 VAC 5-80-200.
(9 VAC 5-80-160)
3. In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-200.
(9 VAC 5-80-160)

V. Permit Revocation or Termination for Cause

A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80 Article 1. The Board may suspend, under such conditions and for such period of time as the Board may prescribe, any permit for any of the grounds for revocation or termination or for any other violations of these regulations.
(9 VAC 5-80-260)

W. Duty to Supplement or Correct Application

Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.
(9 VAC 5-80-80 E)

X. Stratospheric Ozone Protection

Not Applicable

Y. Accidental Release Prevention

Not Applicable

Z. Changes to Permits for Emissions Trading

Not Applicable

AA. Emissions Trading

Not Applicable

XIII. State-Only Enforceable Requirements

Not Applicable